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16138 U.S. PTO

Express Mail No. E1162106295US

**DIVISION - CONTINUATION - CONTINUATION-IN-PART
APPLICATION TRANSMITTAL FORM**

Attorney Docket No.:

2872-USC

Anticipated Classification Of This Application:
Class Subclass

Prior Application:
Examiner

Art Unit

J. Seharaseyon

1647

To the Commissioner for Patents:

This is a request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 09/616,530 filed on July 14, 20 00 of John E. Sims and Teresa L. Born for ACPL DNA AND POLYPEPTIDES

For CONTINUATION or DIVISIONAL APPLNs only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. ☒ Transmitted herewith are:
☒ 60 pages of specification, 2 pages of claim(s) and 1 page of abstract, totaling 63 pages.
☐ sheet(s) of drawings.
☒ 2 pages of Oath or Declaration by the applicant(s):
☐ a. Newly executed (original or copy)
☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
☒ 12 pages of Sequence Listing; sequence statement.
2. ☒ The filing fee is calculated below after entering the enclosed Preliminary Amendment

For	Number Filed		Number Extra		Rate	Fee
Total Claims	17	- 20 =	0	x	\$18.00 =	\$ 0.00
Independent Claims	14	- 3 =	11	x	\$86.00 =	946.00
Multiple Dependent Claims	0			+	\$290.00 =	0.00
Basic Fee					\$770.00 =	770.00
Total Filing Fee						\$ 1716.00

3. ☒ Please charge Deposit Account No. 09-0089, in the name of Immunex Corporation, in the amount of \$ 1716.00. An original and one copy are enclosed.
4. ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
5. ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 09-0089 throughout the prosecution of this application.
6. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

EXPRESS MAIL CERTIFICATE

Express Mail mail labeling number: E1162106295

Date of Deposit: December 15, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Nanci M. Kertson
Printed Name

Nanci M. Kertson
Signature

7. ☐ Preliminarily, please amend the specification by inserting before the first line the following:

--This application is a ☐ continuation ☐ division of application Serial No. _____, filed _____, which is/are hereby incorporated by reference.--

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a. ☐ New formal drawings are enclosed.

9. ☐ Priority of application Serial No. _____ filed on _____ in _____ (country) is claimed under 35 USC 119.

9a. ☐ The certified copy has been filed in prior application Serial No. _____ filed _____

10. ☒ The prior application is assigned of record to Immunex Corporation, reel 010993, frame 0321

11. ☒ A preliminary amendment is enclosed.

12. ☐ Also enclosed _____

13. ☐ Other: _____

14. ☒ The power of attorney in the prior application is to:
Immunex Corporation

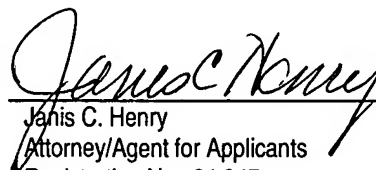
a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to
Janis C. Henry
at the address below.

Signator: ☐ Assignee of complete interest

☒ Attorney or agent of record


Janis C. Henry
Attorney/Agent for Applicants
Registration No. 34,347
Phone: (206) 265-4189
Date: December 15, 2003

Please send all future correspondence to:

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